

032204



17224 U.S. PTO



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15364 U.S. PTO  
10/806645

March 22, 2004

**VIA U.S. MAIL**

Mail Stop Patent Application  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Patent Application  
Inventor: Birmingham, Sr., et al.  
Title: Hydraulic Concrete Mixer and Method of Manufacturing Same  
Attorney Docket No.: 0133072-macalite

Dear Sir/Madam:

Enclosed herewith for filing in the above-identified application are the following:

1. Specification (22 pgs.);
2. New Application Transmittal (4 pgs.);
3. Declaration (3 pgs.);
4. Power of Attorney (1 pg.);
5. Informal Drawings (5 pgs.);
6. Check No. 23086 in amt. of \$394.00; and
7. Self-addressed, prepaid postcard to acknowledge receipt of documents.

Please charge any deficiency in the enclosed fee or credit any overpayment to Deposit Account No. 02-4467.

Very truly yours,

Kenneth A. Nelson

KAN:mtr  
Enclosure

**Bryan Cave LLP**  
One Renaissance Square  
Two North Central Avenue  
Suite 2200  
Phoenix, AZ 85004-4406  
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Washington, DC

*And Bryan Cave,  
A Multinational Partnership,  
London*

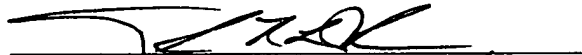
Commissioner for Patents  
March 22, 2004  
Page 2

Bryan Cave LLP

**CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. 1.10.**

I hereby certify that this document (and any as referred to as being attached or enclosed) is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" service, mailing label No. **EL853871125US** on **March 22, 2004** and addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
Printed Name: Thomas LeVance



Attorney's Docket No. 0133072-macalite

UTILITY PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	:	Date: March 22, 2004
	:	
Birmingham, Sr., et al.	:	Group Art Unit: Unknown
	:	
Serial No.: Not yet assigned	:	Examiner: Unknown
	:	
Filed: Herewith	:	

Title: Hydraulic Concrete Mixer and Method of Manufacturing Same

Box Patent Application  
Commissioner for Patents  
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is a utility patent application of Inventor(s):

David L. Birmingham, Sr.  
David L. Birmingham, Jr.

For: Hydraulic Concrete Mixer and Method of Manufacturing Same

1. Type of Application

This new application is for a(n)

[ X ] Original nonprovisional Utility under 37 C.F.R. § 1.53(b)

2. Papers Enclosed

A. Required for filing date under 37 CFR § 1.53(b)

22 Pages of specification as prescribed by 35 U.S.C. § 112 containing a description pursuant to 37 C.F.R. § 1.71 and at least one claim pursuant to 37 C.F.R. § 1.75.

5 Sheet(s) of drawing(s) pursuant to 37 C.F.R. § 1.81(a).

☒ Informal

B. Other Papers Enclosed

3 Page(s) of declaration  
1 Page(s) of Power of Attorney

4. Declaration or oath

☒ Enclosed and executed by  
☒ inventor(s).

5. Inventorship Statement

The inventorship for all the claims in this application are:

☒ The same.

6. Language

☒ English

7. Assignment

☒ An assignment of the invention to Macalite Equipment  
☒ will follow.

8. Fee Calculation (37 C.F.R. § 1.16)

☒ Utility application

CLAIMS AS FILED					
	Number Filed	Number Extra		Basic fee 37 CFR § 1.16(a) Rate \$770.00	
Total Claims (37 CFR § 1.16(c))	21 - 20 =	1	x	\$18.00	\$18.00
Independent Claims (37 CFR § 1.16(b))	3 - 3 =	0	x	\$86.00	\$0.00
Multiple dependent Claim(s), if any (37 CFR § 1.16(d))	0	0	x	\$290.00	\$0.00

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☒ Small Entity [50% of fee]

Filing Fee Calculation

\$394.00

**9. Fee Payment Being Made at this Time**

☒ Enclosed

☒ Filing fee \$394.00

Total fees enclosed \$394.00

**10. Method of Payment of Fees**

☒ Check in the amount of \$394.00

**11. Authorization to Charge Additional Fees**

☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 02-4467:

☒ 37 CFR § 1.16(a), (f) or (g) (filing fees)

☒ 37 CFR § 1.16(b), (c) or (d) (presentation of extra claims)

☒ 37 CFR § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

☒ 37 CFR §§ 1.17(a)(1)-(5) (extension fees pursuant to 1.136(a))

☒ 37 CFR § 1.17 (application processing fees)

**12. Instructions as to Overpayment**

☒ Credit Account No. 02-4467

**13. Correspondence Address**

The correspondence address for this application is:

**Kenneth A. Nelson**  
Bryan Cave LLP  
Two North Central Avenue, Suite 2200  
Phoenix, Arizona 85004-4406

Telephone calls regarding this application should be directed to Kenneth A. Nelson at (602) 364-7000. Facsimile correspondence regarding this application should be faxed to Kenneth A. Nelson at (602) 364-7070.

**14. Statement Where no Further Pages Added**

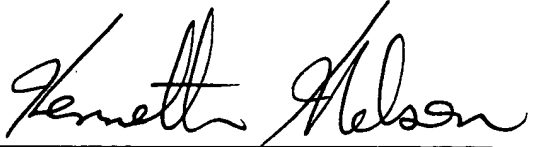
[ X ] This transmittal ends with this page.

Respectfully submitted,

BRYAN CAVE, LLP

Dated: March 22, 2004

By:




Kenneth A. Nelson, Reg. No. 48,677  
2 North Central Avenue, Suite 2200  
Phoenix, Arizona 85004  
Telephone: (602) 364-7000  
Facsimile: (602) 364-7070

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
Printed Name: Thomas LeVance